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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/814,302	03/21/2001	Darrel D. Cherry	10005030-1	4822

7590

01/13/2005

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

BILGRAMI, ASGHAR H

ART UNIT	PAPER NUMBER
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2143

DATE MAILED: 01/13/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/814,302

Applicant(s)

CHERRY ET AL.

Examiner

Asghar Bilgrami

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 13 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-12 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>01/23/2003</u> . | 6) <input type="checkbox"/> Other: _____ |

As

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being unpatentable over Weiser (U.S. 5,982,507).

3. As per claims 1, 9 & 12 Weiser disclosed a system for distributing information comprising: a first client computer having first software with a print functionality; a second client computer; a network connecting said first and second client computers; and means for effecting communication of a document from said first client to said second client as email via said print functionality thereof (col.4, lines 26-44 & col.5, lines 1-6).

4. As per claim 2 Weiser disclosed the invention of Claim 1 wherein said first software is application software (col.4, lines 60-67).

5. As per claim 3 Weiser disclosed the invention of Claim 1 further including a server connected to said network (col.4, lines 26-44).

6. As per claim 4 Weiser disclosed the invention of Claim 3 wherein said means for effecting communication includes means for communicating said document through said server (col.1, lines 55-67, col.2, lines 1-5 & col.5, lines 1-6).

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7. As per claim 5 Weiser disclosed the invention of Claim 4 wherein said means effecting communication includes a first agent running on said client (col.1, lines 45-51 & col.5, lines 1-6).

8. As per claim 6 Weiser disclosed the invention of Claim 5 wherein means for communicating includes a second agent running on said server (col.8, lines 23-27).

9. As per claim 7 Weiser disclosed the invention of Claim 1 further including email software running on said second client for receiving said document (col.1, lines 23-30 & col.8, lines 10-19)

10. As per claim 8 Weiser disclosed the invention of Claim 7 wherein said email software includes means for receiving a message associated with said document from said first client (col.1, lines 35-42 & col.3, lines 32-39).

11. As per claim 10 Weiser disclosed the invention of Claim 9 further including email software running on said second client for receiving said document (col.2, lines 25-30, col.5 & lines 50-57).

12. As per claim 11 Weiser disclosed the invention of Claim 10 wherein said email software includes means for receiving a message associated with said document from said first client (col.2, lines 25-30, col.3, lines 32-39).

13. The applicant argued that the cited passage in the reference does not clearly provide the teaching with respect to a system for distributing information having means for effecting communication of a document from a first client to a second client as e-mail via a print functionality thereof.

As to applicant's arguments Weiser disclosed a network with computers and peripherals devices connected to it and the network has the capability to provide communication capabilities to include e-mail between the computers and the ability to send information to the peripheral devices connected to the network (col.4, lines 26-44 and col.5, lines 1-6).

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

14. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

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Mazzagatte (U.S. PUB 2002/0083114A1) discloses obtaining temporary exclusive control of printing device.

Chiu (U.S. 6,076,111) discloses methods and apparatus for transferring data between data processing systems which transfer a representation of the data before transferring the data.

Cavill (U.S. 6,003,069) discloses a client/server printer driver system.

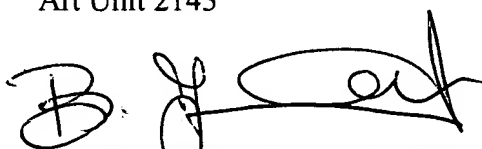
Any inquiry concerning this communication or earlier communications from the examiner should be directed to Asghar Bilgrami whose telephone number is 703-305-4623. The examiner can normally be reached on M-F, 8:00-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David Wiley can be reached on 703-308-5221. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

AB

Asghar Bilgrami
Examiner
Art Unit 2143



BUNJOB JAROENCHONWANIT
PRIMARY EXAMINER